

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16158-AG17-0420-081

IN THE MATTER OF:)
)
Richard Davidson)
502 S. Park Ave.)
Alexandria, IN 46001-2433)
)
License Number: 700671)
)
 Respondent)
)
Type of Agency Action: Enforcement)

FILED

MAY 12 2017

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

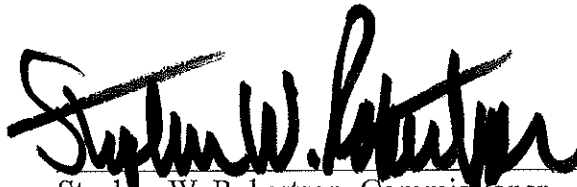
The Indiana Department of Insurance ("Department"), by its counsel, Claire Szpara, and Richard Davidson ("Respondent"), a resident insurance producer licensed to do business in Indiana, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent's license, and which has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent shall pay an administrative penalty in the amount of one thousand dollars (\$1,000), due within thirty (30) after the signing of this Final Order.

ALL OF WHICH IS ORDERED this 12 day of May, 2017.

A handwritten signature in black ink, appearing to read "Stephen W. Robertson", written over a horizontal line.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Claire Szpara
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

Richard Davidson
502 S. Park Ave.
Alexandria, IN 46001-2433

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
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CAUSE NUMBER: 16158-AG17-0420-081

IN THE MATTER OF:)

Richard Davidson)
502 S. Park Ave.)
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License Number: 700671)

Respondent)

Type of Agency Action: Enforcement)

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STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Claire Szpara, and Richard Davidson ("Respondent"), a resident insurance producer licensed to do business in Indiana, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner for the Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a licensed Indiana resident insurance producer, holding license number 700671;

WHEREAS, the Department received a complaint from Richard Mullins ("Complainant") that Complainant had applied for auto insurance for a newly acquired vehicle with Respondent on August 2, 2016.

WHEREAS, Respondent filed Complainant's application for insurance with State Farm, but never followed through to assure that the policy was issued by State Farm. Complainant never received proof of insurance.

WHEREAS, in February 2017, because Respondent had not followed up on Complainant's inquiries concerning his policy, Complainant states he applied for insurance with another agent.

WHEREAS, Respondent admits he did not follow up to assure that the Complainant's policy application was processed, or that the policy was issued.

WHEREAS, Indiana Code § 27-1-15.6-12(b)(8) states the Commissioner may levy a civil penalty, place an insurance producer on probation or take any combination of these actions, against a producer for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere;

WHEREAS, Respondent's actions in failure to follow up on the processing of an application and issuance of a policy is in violation of Indiana Code § 27-1-15.6-12(b)(8); and

WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve their differences and settle the issues without the necessity of an administrative hearing.

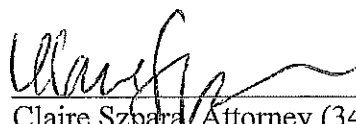
IT IS THEREFORE NOW AGREED by and between the Parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties in this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives his right to a public hearing on this matter.
4. Respondent voluntarily and freely waives his right to judicial review of this matter.


5. Respondent agrees to pay an administrative penalty in the amount of one thousand dollars (\$1,000) to the Department within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
6. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry herein as full satisfaction of this matter.
7. Respondent has carefully read and examined this Agreed Entry and fully understands its terms.
8. Respondent has entered into this Agreed Entry freely, and has not been subject to duress, threat or undue influence.
9. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
10. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

5.4.17
Date Signed

5/2/2017
Date Signed



Claire Szpara, Attorney (34219-64)
Indiana Department of Insurance



Richard Davidson, Respondent

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

Before me a Notary Public for MADISON County, State of Indiana, personally appeared Richard Davidson being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 2nd day of May, 2017.

Kitti D. Campbell
Signature

KITTI D. CAMPBELL
Printed

My Commission expires: 09/16/2023

County of Residence: MADISON

Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 103
311 West Washington Street
Indianapolis, IN 46204-2787
317/233-4243 - telephone
317/232-5251 - facsimile

